

Ir-miklat-Cities-of-Refuge

Zadoq ben Aahron

ערי מקלט Ir miklat - Cities of Refuge

Cities of refuge are cities that are designated for the residence of an unintentional killer. Moses our teacher commanded the children of Israel to establish cities of refuge three in the land of Israel and three across the Jordan before entering the land of Israel in the wilderness of Sinai.

And thus it is said in the Book of Numbers: "And you shall designate for yourselves cities, cities of refuge they shall be for you, and the manslayer shall flee there... The three cities you shall give beyond the Jordan, and the three cities you shall give in the land of Canaan; they shall be cities of refuge..."

"To flee there every manslayer unintentionally" (35:15)

The biblical commentator Chizkuni already sees the basis for this in Parashat Vayeshev and expounded on the verse "And Reuben heard it and delivered him out of their hands" (about Joseph the righteous) (37:21): "The Holy One, blessed be He, said, 'He began with the saving of lives at the beginning of his life, therefore cities of refuge are only separated initially from his territory.'"

This is what it says: "Bezer in the wilderness, in the land of the plain, for the Reubenites."

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Who are the Cities of Refuge

Cities of refuge were divided between the western side of the Jordan and the eastern side of the Jordan equally, and also according to the distances between them (see below).

In the land of Israel

Kadesh in the Galilee in the mountain of Naphtali.

Shechem in Mount Ephraim.

Hebron in the mountain of Judah.

In the Jordan River

In Bezer in the wilderness in the plain from the tribe of Reuben.

Ramoth in Gilead from the tribe of Gad.

Golan in the Bashan, tribe of Manasseh.

Besides these six cities of refuge, also all the cities of the Levites would absorb the accidental killer, as it is said (Numbers 35:6): "The cities which you shall give to the Levites, the six cities of refuge which you shall give for the murderer to flee there, and upon them you shall give forty-two cities.

"All the cities which you shall give to the Levites: forty-eight cities" - "The scripture equated all of them to each other, that they should all provide refuge."

However, there exist two differences between the six cities of refuge and the other Levitical cities:@ The six cities of refuge provide asylum even when the murderer enters one of them without knowing that this city will serve him as a refuge, whereas the "Levitical cities" provide asylum only when the murderer enters one of them with the knowledge that this city will serve him as a refuge.@ A murderer residing in a dwelling in one of the six cities of refuge does not pay rent, whereas a murderer residing in a dwelling in one of the Levitical cities pays rent.

In the days of the Messiah, three more cities of refuge will be added, in the lands of the Kenite, the Kenizzite, and the Kadmonite, which will then be added to the land of Israel.

Organization of the City of Refuge[Edit]

The court directs the roads to the cities of refuge, removes any obstacle from the roads leading to them, and sets up signs with directions, so that the unintentional murderers may reach there as quickly as possible and be saved from the avenger of blood.

On the court to ensure that there will be in the cities of refuge markets and continuous supply, so that the exiled murderers will have there all their needs.

As well, the court must also care for the spiritual needs of the murderer in the cities of refuge, and therefore a student who is exiled, they exile his teacher with him, and a teacher who is exiled, they exile his yeshiva with him, because "the life of those who possess wisdom and seek it without Torah study - is considered as death".

The manner of choosing the cities[Edit]

The first question is how the cities were distributed. And it seems that an important consideration was the distance the unintentional killer would have to travel in order to reach the city of refuge.

And thus it is said in Tractate Makkot: "The Rabbis taught: Three cities Moses set apart on the other side of the Jordan, and corresponding to them Joshua set apart in the land of Canaan, and they were aligned like two rows in a vineyard, Hebron in Judah corresponding to Bezer in the wilderness, Shechem in Mount Ephraim corresponding to Ramoth in Gilead, Kedesh in Mount Naphtali corresponding to Golan in Bashan.

And you shall divide - that they should be divided, that it should be from the south to Hebron as from Hebron to Shechem, and from Hebron to Shechem as from Shechem to Kadesh, and from Shechem to Kadesh as from Kadesh to the north".

In continuation, the question is asked, why is the number of cities equal on both sides of the Jordan River, and the Gemara presents the question: "On the other side of the Jordan three, in the land of Israel three?

Abaye said: In Gilead murderers are prevalent, as it is written: Gilead is a city of workers of iniquity, tracked with blood. What is tracked with blood? Rabbi Elazar said: That they would track to kill souls.

And what is different from this side and from this side that they are distant, and what is different in the middle that they are close?

(And how are the cities designated in the north and south, where the way to them is long, different from Shechem in the middle, where the way to it is short?)

Abaye said: In Shechem, too, murderers are common, as it is written: "And as troops of robbers wait for a man, so the company of priests murder in the way by consent; for they commit lewdness in Shechem" etc., what is "the company of priests"?

Rabbi Elazar said: That they would join together to kill souls, like these priests who join together to divide tithes in the threshing houses. (9, 2).

From here we learn that the distribution of the cities of refuge in the Transjordan (three cities for two and a half tribes) and the presence of a central city of refuge in Shechem, to which the way is short - stems from the fact that there is an abundance of murderers there.

The author of the article on the site raises questions on the Gemara above:

It is known that the cities of refuge are designated for those who killed unintentionally and not for intentional murderers. If so, why does the Gemara mention the matter of an increase of murderers in connection to the cities of refuge? What do murderers have to do with this?

How does the Gemara bring from the Torah (from the past) a place that has many murderers, is it not dependent on the behavior of the people themselves (in the present)?

The Tosafot explain that it concerns intentional murderers without witnesses whom the Holy One, blessed be He, punishes by being killed unintentionally.

As brought in the Gemara: Regarding two people who killed a person, one killed unintentionally and one killed intentionally, this one has no witnesses and that one has no witnesses, the Holy One, blessed be He, arranges for them to be in one inn, the one who killed intentionally sits under the ladder, and the one who killed unintentionally descends the ladder and falls on him and kills him, the one who killed intentionally is killed, and the one who killed unintentionally goes into exile. (10, b).

Therefore, a shorter distance is needed to the city of refuge where it is likely that there will be more cases of unintentional killing.

To the question, the author of the article suggests reading the words of Rashi.

When Jacob our father asked Joseph to see the welfare of his brothers who went out to pasture the flock, he writes on the verse "And he came to Shechem" "A place prepared for calamity, there the tribes corrupted, there they afflicted Dinah, there the kingdom of the house of David was divided."

He explains to us that Shechem is a place for calamity, many people were corrupted in this place. That is, there are places that have more danger for people.

Is the fate of the city doomed to infamy[Edit]

Summarizes the author of the article "If so the situation why do people go to such a place and all the more so why would they live there?"

But it seems to explain according to the Gemara with us that despite the place being designated for calamity, there is still a possibility to overcome the calamity by the forces of the inclination of man.

The calamity from the approach of the people of the place who belittle human life. Therefore, the multitude of murderers indicates the community's impotence in such an important matter as human life.

In such an atmosphere, also those who kill unintentionally will increase, because essentially the one who kills unintentionally has sinned by not being sufficiently careful with human life.

If the people stand on what is important to them then they can overcome the place and if not then the calamity of the place can affect them.

Thus it is possible to explain the words of the Mishnah: "A Sanhedrin that executes one in seven years - is called destructive (murderous); Rabbi Eliezer ben Azariah says: one in seventy years. (7, 1).

It seems this Mishnah is difficult.

If cases reach the Sanhedrin that according to the law must be sentenced to death even more than once in seven years (or seventy years according to Rabbi Eliezer) why is the Sanhedrin called destructive?

Is the Sanhedrin fulfilling its role?

To understand the matter, we will examine the last commandment in the portion of Shoftim, which is the commandment of the beheaded heifer.

There it is written that the elders who bring the heifer whose neck is broken must declare: "And they shall answer and say, Our hands have not shed this blood, neither have our eyes seen it" (Deuteronomy 21:7). Rashi explains there: Did it enter one's mind that the elders of the court are blood-shedders? Rather, we did not see him and dismiss him without sustenance and without escort.

Certainly! Here is the translation:

That is to say, it is not possible to conceive that the elders shed human blood, but they take responsibility that it is not possible that if they saw a person, they would not provide him with food and escort.

But it is possible to ask whether it would occur to the mind that the elders of the city need to care for and guard everyone who comes to visit their city?

But the elders testify that they educated the city to have an atmosphere of hospitality as is proper. That there should not be a situation where someone who arrives in the city does not have a person to take care of him.

Thus it is possible to explain the words of the Mishnah in Tractate Makkot, Sanhedrin that it is necessary to lead the generation to a state where there is a need to execute according to law more than one person over a period of seven or seventy years, testifies about itself that it is destructive, meaning that their education was not good enough and caused a disregard for human life enough for more than one case of capital punishment to occur in the period.

This also includes other transgressions for which a person is executed, such as Shabbat, sexual immorality, and more.

Because the very disdain for human life causes a person not to see sufficient importance in his own life, and therefore is willing to 'give up' his life for momentary reasons only.

Thus also we see about the discussion in the Gemara regarding the dispute between Rabbi Eliezer ben Azariah and the Tanna Kamma: a Sanhedrin that executes, etc.

They inquired: Once in seventy years is it called destructive, or perhaps it is the way of the world?

Teyku. (Does Rabbi Eliezer ben Azariah disagree with the words of Tanna Kamma or did the situation in his time cause a difference in opinions?) Bavli Makkot page 7a The Gemara essentially asks whether the words of Rabbi Eliezer are a halachic ruling against the words of the Tanna Kamma or whether because of the period in which he lived, Rabbi Eliezer established his words, meaning whether the atmosphere or education of that generation causes a difference or not.

Despite the fact that the Gemara answers that the matter was not clarified and remains in a state of teiku. The very question proves that it is part of the consideration in this matter.

Thus also is proven from the commandment of the decapitated calf, and now according to our words also from the details of the distribution of the cities of refuge.

The one who kills in road accidents[Edit]

In the modern reality, one of the common cases of “unintentional murder” is in road accidents.

The question is whether it is possible to see a driver who hit a person and caused his death as an “unintentional killer,” who, in the reality of the existence of cities of refuge, would have to flee there.

Rabbi Eliezer Altshuler responds to this within the framework of Q&A on the “Kipa” website affirmatively. And even more so, in certain cases even in “negligence”. We will quote the answer in full: "In principle - yes.

But in accidents, it is not always “unintentionally” because one who drove at a speed higher than permitted and killed is considered negligence, and therefore his place is not in a city of refuge, and so is anyone who violated traffic laws.

Perhaps, such a thing would cause more caution for those driving vehicles than the punishments that exist today, because today the punishments for accidental killing are very light generally." - 7 Shevat 5767

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